

Message Text

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FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 1488
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AMEMBASSY BRUSSELS
AMEMBASSY LONDON
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AMEMBASSY MOSCOW
USMISSION USBERLIN
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 03 BONN 15878

USEEC

E.O. 11652: XGDS-L
TAGS: PGOV, BQG, EEC
SUBJECT: EUROPEAN PARLIAMENT: REPORTED DESIRE OF
BERLIN SPD TO SEND DELEGATES TO FRG SPD
CONGRESS

SUMMARY. BASED ON REPORTS FROM BERLIN, THE BRITISH
BONN GROUP REP (EYERS) HAS INFORMED US OF THE DESIRE
OF THE BERLIN SPD TO HAVE BERLIN DELEGATES PARTICIPATE
IN THE NATIONAL SPD CONGRESS FOR THE SELECTION OF SPD
CANDIDATES FOR THE EUROPEAN PARLIAMENT (EP) ELECTIONS.
THE ALLIED CONSENSUS HERE, AND THE STRONG FEELING OF
THE FCO, IS THAT THIS SHOULD NOT BE DONE. EYERS
BROUGHT UP THE MATTER WITH BRAEUTIGAM OF THE CHANCEL-
LOR'S OFFICE ON AUGUST 25 AND RAISED THE SUBJECT IN
THE BONN GROUP ON AUGUST 29. BOTH BRAEUTIGAM AND
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THE GERMANS IN THE BONN GROUP APPRECIATE THE ALLIED
CONCERNS EXPRESSED IN THE BONN GROUP AND
HAVE PROMISED TO PASS THEM ON IN THE HOPE THE SPD
WILL NOT ADOPT THIS APPROACH. ACTION REQUESTED:
DEPARTMENT'S GUIDANCE AS TO POSITION WE SHOULD
TAKE ON THIS SUBJECT. END SUMMARY.

1. AT THE AUGUST 24 MEETING OF THE ALLIED BONN GROUP REPS, THE UK REP (EYERS) RAISED THE QUESTION OF HOW THE FRG POLITICAL PARTY CAUCUSES WILL SELECT THEIR CANDIDATES FOR THE EUROPEAN PARLIAMENT (EP). HE NOTED HE HAD INFORMED US OF THE UK VIEWS BEFORE, ALTHOUGH THERE HAD THUS FAR BEEN NO OPPORTUNITY FOR A DISCUSSION, AND THAT HE HAD NOW BEEN INSTRUCTED TO RAISE THE MATTER WITH THE FRG IN THE BONN GROUP.

2. THE PROBLEM, AS HE DESCRIBED IT, IS THAT BERLIN SENATOR KORBER INFORMED THE UK MINISTER IN BERLIN THAT THE BERLIN SPD WANTED TO HAVE DELEGATES FROM BERLIN PARTICIPATE IN THE DECEMBER SPD FEDERAL DELEGATES CONGRESS TO CHOOSE THE SPD CANDIDATES FOR THE EP. BAHR AND BRANDT OF THE NATIONAL SPD WERE OPPOSED TO THIS PROCEDURE. EYERS NOTED THAT THE FDP HAD DECIDED IT WOULD BE ILLEGAL, UNDER ARTICLE 10 OF THE FRG EP ELECTION LAW, FOR THE BERLIN DELEGATES TO PARTICIPATE IN THE FDP CONGRESS AND WAS THEREFORE HOLDING SEPARATE CONGRESSES. THE CDU/CSU IS HOLDING SEPARATE CONGRESSES FOR OTHER REASONS.

3. EYERS SAID THAT HE HAD RAISED THE QUESTION WITH THE FRG BONN GROUP REP (VON BRAUNMUEHL), WHO DEFENDED THE LEGALITY OF THE BERLIN SPD DELEGATES ATTENDING THE NATIONAL SPD CONGRESS AND VOTING FOR THE FRG CANDIDATES.
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VON BRAUNMUEHL DISMISSED THE POSSIBILITY THAT THE SPD NATIONAL CONGRESS WOULD SEEK TO NOMINATE THOSE ON THE BERLIN LIST. VON BRAUNMUEHL ACCEPTED THAT THIS PROCEDURE COULD ADD TO OUR TROUBLES WITH THE SOVIETS BUT SAID THAT IF THE SPD WISHED TO FOLLOW THIS PROCEDURE, THEY COULD NOT BE STOPPED. HE ASKED WHETHER THE AMBASSADORS MIGHT BRING IT UP WITH VAN WELL AT THE QUADRIPARTITE LUNCHEON IN SEPTEMBER, A SUGGESTION WHICH EYERS DESCRIBED AS WELL-MEANT. HOWEVER, EYERS SAID THAT THIS APPROACH WOULD TAKE SOME TIME AND THE MATTER MIGHT BE DECIDED BY THE SPD BEFORE THAT. HE SAID THAT HE WAS HAVING LUNCH WITH BRAEUTIGAM OF THE CHANCELLERY ON AUGUST 25 AND SUGGESTED THAT HE RAISE THE MATTER WITH HIM, ASKING WHAT MIGHT BE DONE.

4. THE US REP SAID HE ASSUMED, BASED ON THE DISCUSSION AT THE QUAD MEETING AND THE DEPARTMENT'S WILLINGNESS TO AUTHORIZE AN EARLIER APPROACH TO THE SENATE ON A SOMEWHAT SIMILAR MATTER, THAT THE US WOULD SHARE THE UK CONCERN. HOWEVER, FOR THE PURPOSE OF EYERS' MEETING WITH BRAEUTIGAM, IT WOULD BE BEST TO DEPICT THESE AS UK VIEWS WHILE THE OTHERS SOUGHT INSTRUCTIONS. THIS WAS

AGREED.

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5. THE FRENCH REP (RICHARD) THEN BEGAN A DISCUSSION OF THE FRG ELECTION LAW, AND WHETHER OR NOT IT WOULD BE ILLEGAL UNDER ARTICLE 10 FOR THE SPD TO FOLLOW THIS PROCEDURE. THE US REP SUGGESTED THAT IT WOULD SERVE LITTLE PURPOSE TO TALK TO THE GERMANS ON THAT BASIS SINCE WE COULD NOT INTERPRET THE LAW AND THERE WAS A DIFFERENCE OF OPINION IT SEEMED AMONG GERMAN LAWYERS. HE SUGGESTED THAT A MORE FRUITFUL COURSE WOULD BE TO ADDRESS THE QUESTION OF POLITICAL OPPORTUNENESS AND THE COMMON FRG/ALLIED INTEREST IN MINIMIZING PROBLEMS IN THIS SENSITIVE AREA. RICHARD SAID THAT WE COULD ARGUE THAT THE BK/O ON THE SUBJECT COVERED THE MATTER AND PREVENTED THE JOINT PARTICIPATION BY FRG AND BERLIN DELEGATES IN A .PARTY CONGRESS. THE US REP REPLIED THAT THIS ARGUMENT WOULD HAVE TO BE MADE OUT OF WHOLE CLOTH

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BECAUSE THE FACT IS THAT, TO HIS KNOWLEDGE, THAT PARTICULAR QUESTION WAS NOT INTENDED TO BE COVERED BY THE BK/O.

6. EYERS AGREED THAT THE MOST EFFECTIVE WAY OF DEALING WITH THE ISSUE WOULD BE ON A POLITICAL LEVEL AND SAID THAT IF THERE IS A COMBINED APPROACH TO STOBBE AND TO THE CHANCELLOR'S OFFICE, WE MIGHT FIND THAT THE SPD DECISION WOULD GO IN THE DIRECTION WE ALL AGREE IS PREFERABLE.

7. EYERS SPOKE TO BRAEUTIGAM ON AUGUST 25. BRAEUTIGAM SAID THAT WHILE THE DELEGATES CONGRESS WAS ESTABLISHED UNDER THE FEDERAL LAW ON DIRECT ELECTIONS, HOW THE PARTY RAN THINGS WITHIN THE FRAMEWORK OF THAT LAW WAS THEIR BUSINESS AND NOT THAT OF THE FRG. THE PROBLEM WAS THEREFORE A SENSITIVE ONE. AGAINST THAT BACKGROUND, HE SAID HE WOULD REPORT EYERS' APPROACH TO THE CHANCELLOR AND WISCHNEWSKI. HE COULD PROMISE NOTHING BUT IF, IN FACT, THE FEDERAL SPD EXECUTIVE WAS ALREADY DISINCLINED TO GO ALONG WITH THE BERLINERS' WISHES, HE WAS OPTIMISTIC THAT THE DECISION WOULD GO THE WAY THE BRITISH WANTED. HE THOUGHT IT LIKELY THE CHANCELLOR WOULD SIMPLY HAVE A WORD WITH STOBBE. BRAEUTIGAM SAID THAT IT WOULD ALSO BE HELPFUL IF THE POINT COULD BE PUT FORWARD IN THE BONN GROUP AS A REQUEST FOR INFORMATION WITH AN EXPRESSION OF THE POINT OF VIEW EXPRESSED.

8. THE QUESTION WAS RAISED BY EYERS AT THE AUGUST 29 BONN GROUP MEETING. HE REFERRED TO THE POLITICAL DIRECTORS' DISCUSSION IN WASHINGTON AND SAID THE PROCEDURE PREFERRED BY THE BERLIN SPD WOULD GIVE THE SOVIETS A STRONG DEBATING POINT; THEY WOULD THINK

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THE ALLIED REMARKS WERE DISINGENUOUS. HE SAID THE FCO RECOGNIZES THAT THIS IS ESSENTIALLY AN SPD PARTY MATTER BUT FEELS STRONGLY ABOUT IT. RICHARD SAID HIS MISSION IN BERLIN HAD REPORTED TO PARIS AND THE QUAI SHARES THE SAME VIEW. THE US REP, ON A PERSONAL BASIS, SAID IT WOULD APPEAR PRUDENT TO MAINTAIN A DISTINCTION IN THE SELECTION PROCESS BETWEEN THE FRG AND THE BERLIN CANDIDATES. THIS WOULD BE FULLY CONSISTENT WITH THE QUAD MEETING DISCUSSION.

9. MEICHSNER OF THE BERLIN REPRESENTATION SAID HE

BELIEVED THERE WOULD BE MORE UNDERSTANDING IN BERLIN FOR THE ALLIED VIEWS ON THIS SUBJECT THAN ON THE PROPOSED FOOTNOTE SOLUTION CONCERNING THE REPORTING OF THE EP ELECTION RESULTS. VON BRAUNMUEHL SAID THAT HE REALIZES THE POINTS OF VIEW EXPRESSED ARE IMPORTANT ONES AND THAT HE WOULD PASS THEM ON.

10. COMMENT: THE CONSISTENT ALLIED VIEW HAS BEEN THAT THE BERLIN DEPUTIES ARE DISTINCT AND THAT WE SHOULD NOT ALLOW THE DISTINCTIONS BETWEEN THEM AND THE FRG DEPUTIES TO BE ERODED OR BLURRED. THIS IS BORNE OUT BY THE QUAD MEETING DISCUSSION (STATE 139661); THE APPROACH TO THE SENAT ON STOBBE'S RECENT PUBLIC REMARKS (STATE 124939) AND THE QUESTION OF HOW THE LIST OF DEPUTIES IS TO BE REPORTED TO THE EP (STATE 219475). THE FRG AGREES WITH THIS VIEW, AT LEAST THROUGH THE ELECTION PROCESS. WHILE THE MEANS OF SELECTING THE CANDIDATES FOR THE EP IS IN ONE RESPECT A MATTER FOR THE POLITICAL PARTIES, THE FACT REMAINS THAT IT IS ALSO PROVIDED FOR BY THE FRG LAW ON THE SUBJECT.

11. AS NOTED IN THE TRIPARTITE DISCUSSION OF THE SUBJECT, WE DO NOT BELIEVE THAT ANY USEFUL PURPOSE WOULD BE SERVED BY SEEKING TO ENGAGE GERMAN LAWYERS IN A DIS-

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CUSSION OF AN INTERPRETATION OF GERMAN LAW. AT THE SAME TIME, THE MORE VISIBLE INDICATIONS THERE ARE THAT THE BERLIN DEPUTIES ARE BEING TREATED THE SAME AS THE FRG DEPUTIES, THE MORE OCCASION THE SOVIETS WILL HAVE TO COMPLAIN. WE THEREFORE BELIEVE IT TO BE IN THE COMMON FRG/ALLIED INTEREST TO MAINTAIN WHATEVER DISTINCTIONS WE CAN, AT LEAST WHEN THESE CAN BE MAINTAINED WITHOUT CAUSING THE FRG EXCESSIVE GRIEF OR CAUSING INTERNAL POLITICAL PROBLEMS HERE OF AN UNACCEPTABLE DEGREE. AS NOTED ABOVE, THE VIEWS EXPRESSED IN THE BONN GROUP APPEAR TO HAVE FALLEN ON RECEPTIVE EARS AND EVEN THE BERLIN REP IN THE BONN GROUP IS SYMPATHETIC IN SPITE OF THE FACT THAT STOBBE APPARENTLY WANTS THE BERLIN AND FRG DEPUTIES TO BE TREATED AS A SINGLE GROUP FOR SPD PARTY PURPOSES.

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12. UNDER THE CIRCUMSTANCES, WE REQUEST THAT WE BE INSTRUCTED TO SAY IN THE BONN GROUP THAT WHILE THE QUESTION WHETHER THE SPD SHOULD HAVE A JOINT FRG/BERLIN CONGRESS IS NOT, IN OUR VIEW, A LEGAL ONE AFFECTING ALLIED RIGHTS AND RESPONSIBILITIES IN BERLIN, WE BELIEVE THAT IN THE INTEREST OF AVOIDING UNNECESSARY POLEMICS WITH THE SOVIETS OVER THE EP, IT WOULD BE PREFERABLE IF THE SPD FOLLOWED THE EXAMPLE OF THE FDP AND CDU/CSU AND DID NOT HOLD A JOINT CONGRESS.

13. ACTION REQUESTED: DEPARTMENT'S GUIDANCE. MEEHAN

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